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Dated: May 22, 2006

Signature:

  
(Mary M. Hutchinson)

Docket No.: 56007CIP(70207)  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Bertha K. Madras et al.

Application No.: 09/932,302

Confirmation No.: 5385

Filed: August 17, 2001

Art Unit: 1618

For: METHODS FOR DIAGNOSING AND  
MONITORING TREATMENT ADHD BY  
ASSESSING THE DOPAMINE  
TRANSPORTER LEVEL

Examiner: M. G. Hartley

**REQUEST FOR CORRECTED FILING RECEIPT**

Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby requests that a corrected Filing Receipt be issued in the above-identified patent application. The official Filing Receipt received by Applicant, a copy of which is attached hereto, has the following errors:

The filing receipt does not reflect the priority information as recited in the first paragraph of the present specification, as amended. The filing receipt should be updated to indicate that the present application is:

a continuation-in-part of U.S. application number 09/605,621, filed on June 28, 2000, now abandoned, which claims the benefit of provisional application number 60/141,540, filed on June 28, 1999; claims the benefit of U.S. provisional application 60/300,133, filed on June 22, 2001, and U.S. provisional application 60/307,744, filed on July 25, 2001; is a continuation-in-part of U.S. application numbers 09/314,441, filed on May 19, 1999, now U.S. Patent No. 6,353,105, and 09/671,534, filed on September 27, 2000, now U.S. Patent No. 6,417,221, which are both divisional applications of U.S.

application number 08/893,921, filed July 11, 1997, which issued on September 7, 1999 as U.S. Patent No. 5,948,933, and U.S. application number 09/671,534 is a continuation-in-part of U.S. application number 08/552,584, filed November 3, 1995, now U.S. Patent No. 6,171,576; and the present application is a continuation-in-part of U.S. application number 09/568,106, filed May 10, 2000, now U.S. Patent No. 6,548,041, which claims the benefit of U.S. provisional application number 60/133,761, filed May 12, 1999.

Applicants note that the specification was previously amended to correct the above information in the specification at page 1 under the heading "Cross-Reference to Related Applications." A copy of the Amendment in which this correction was made is attached hereto for the convenience of the Office as provided by MPEP 301.11.III.F. According to PAIR, the Amendment was entered by the Examiner on February 21, 2006. A copy of the Filing Receipt with the changes marked thereupon is also enclosed. In addition, for the convenience of the Office, a Supplemental Application Data Sheet is submitted herewith with the priority information entered thereon.

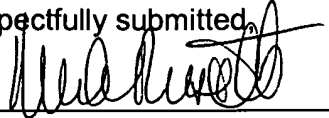
Applicants additionally request that all pertinent U.S. Patent and Trademark Office records relating to the subject application be changed to reflect this correction.

Applicants believe that additional fees or petitions are not required in connection with this submission. However, if a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge/credit Deposit Account No. **04-1105**.

Should the Examiner wish to discuss any of the corrections described herein, the undersigned would appreciate the opportunity to do so.

Dated: May 22, 2006

Respectfully submitted,

By 

Mark D. Russett

Registration No.: 41,281

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Attorneys/Agents For Applicant



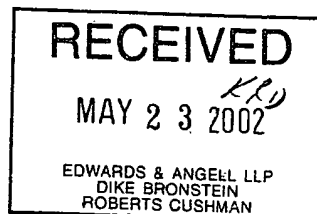
## UNITED STATES PATENT AND TRADEMARK OFFICE

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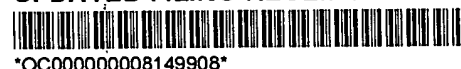
APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/932,302	08/17/2001	1619	595	56,007-CIP (70207)		35	4

21874

DIKE, BRONSTEIN, ROBERTS AND CUSHMAN,  
INTELLECTUAL PROPERTY PRACTICE GROUP  
EDWARDS & ANGELL, LLP.  
P.O. BOX 9169  
BOSTON, MA 02209



CONFIRMATION NO. 5385  
UPDATED FILING RECEIPT



\*OC000000008149908\*

Date Mailed: 05/20/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Bertha K. Madras, Newton, MA;  
Alan J. Fischman, Boston, MA;  
Peter C. Meltzer, Lexington, MA;

## Assignment For Published Patent Application

The General Hospital Corporation;  
Fellows Of Harvard College;  
Organix, Inc.;

## Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CIP OF 09/605,621 06/28/2000 ABN  
WHICH CLAIMS BENEFIT OF 60/141,540 06/28/1999  
AND CLAIMS BENEFIT OF 60/300,133 06/22/2001  
AND CLAIMS BENEFIT OF 60/307,744 07/25/2001  
~~AND CLAIMS BENEFIT OF 60/133,761 05/12/1999~~

## Foreign Applications

AND IS A CONTINUATION-IN-PART OF 09/314,441 05/19/99  
AND IS A CONTINUATION-IN-PART OF 09/671,534 09/27/00  
AND SAID 09/314,441 IS A DIVISION OF 08/893,921 07/11/97

If Required, Foreign Filing License Granted 09/13/2001

AND SAID 09/671,534 IS A DIVISION OF  
SAID 09/314,441 05/19/99

Projected Publication Date: 08/29/2002

AND THIS APPLICATION IS A

CONTINUATION-IN-PART OF 09/568,106 05/10/00

WHICH CLAIMS BENEFIT OF 60/133,761 05/12/99

AND SAID 09/671,534 IS A CONTINUATION-  
IN PART OF 09/552,584 11/03/95

Non-Publication Request: No

Early Publication Request: No

**\*\* SMALL ENTITY \*\***

**Title**

Methods for diagnosing and monitoring treatment ADHD by assessing the dopamine transporter level

**Preliminary Class**

424

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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COPY

Attorney Docket No. 56007-CIP (70207)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: B. Madras, et al.

EXAMINER: Michael Hartley.

SERIAL NO.: 09/932,302

ART UNIT: 1616

FILED: August 17, 2001

FOR: METHODS FOR DIAGNOSING AND MONITORING TREATMENT  
ADHD BY ASSESSING THE DOPAMINE TRANSPORTER LEVEL

COPY

CERTIFICATE OF EXPRESS MAIL

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee," Express Mail Label No. EV 756035146 US addressed to: MAIL STOP AF, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on February 7, 2006.

By:

Bonnie Crespi

MAIL STOP AF

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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RESPONSE AFTER FINAL (37 CFR 1.116)

Sir:

In response to the Final Office Action ("the Office Action") dated April 7, 2005, and further to the Notice of Appeal filed October 7, 2005, Applicants submit the following amendment and remarks. A petition for two-month extension of time is being filed concurrently herewith.

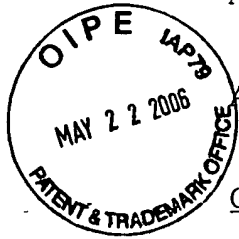
AMENDMENTS TO THE SPECIFICATION begin at page 2 of this paper.

REMARKS/ARGUMENTS begin on page 3 of this paper.

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## AMENDMENTS TO THE SPECIFICATION

COPY



At page 1, please replace the paragraph after the title with the following paragraph and heading:

CROSS-REFERENCE TO RELATED APPLICATIONS

The present application ~~claims the benefit of~~ is a continuation-in-part of U.S. application number 09/605,621, filed on June 28, 2000, now abandoned, which claims the benefit of provisional application number 60/141,540, filed on June 28, 1999; claims the benefit of U.S. provisional application 60/300,133, filed on June 22, 2001, and U.S. provisional application 60/307,744, filed on July 25, 2001; ~~U.S. application number 08/552,584, filed November 3, 1995, which issued on January 19, 2001 as U.S. Patent No. 5,853,696; is a continuation-in-part of~~ U.S. application numbers 09/314,441, filed on May 19, 1999, now U.S. Patent No. 6,353,105; and 09/671,534, filed on September 27, 2000, now U.S. Patent No. 6,417,221, which are both divisional applications of U.S. application number 08/893,921, filed July 11, 1997, which issued on September 7, 1999 as U.S. Patent No. 5,948,933, and U.S. application number 09/671,534 is a continuation-in-part of U.S. application number 08/552,584, filed November 3, 1995, now U.S. Patent No. 6,171,576; and the present application is a continuation-in-part of U.S. application number 09/568,106, filed May 10, 2000, now U.S. Patent No. 6,548,041, which claims the benefit of U.S. provisional application number 60/133,761, filed May 12, 1999, all incorporated herein by reference.

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## REMARKS

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The specification has been amended to correct and update the status of the applications to which the present application claims priority.

Claims 1, 2, 4, 5, 10, 14-17, 27 and 29 are presently pending in the application. No new matter has been added.

Priority Claim

The specification has been amended to correct and update the status of the applications to which the present application claims priority. No new priority applications have been added; the only changes are to clarify the relationship (e.g., continuation, division, continuation-in-part) between the present application and certain priority applications; to indicate that the present application is not directly a continuation-in-part of U.S. application number 08/552,584, but rather that the present application is a continuation-in-part of U.S. application number 09/671,534 which is a continuation-in-part of U.S. application number 08/552,584; and to update and correct the status of certain applications. Therefore, Applicants submit that no new priority claim has been submitted.

Applicants note that the U.S. Patent Office may not have recognized the priority claim to the non-provisional applications listed in the "Cross-Reference to Related Applications"; however, a specific reference to each of these applications was included in the first sentence of the present application as originally filed (and also in the New Application Transmittal form submitted together with the application and in the Declaration and Power of Attorney submitted with the response to the Notice to File Missing Parts of Application (PTO-1533)). For at least these reasons, Applicants submit that the priority claims as herein amended are proper and that no Petition is required to correct the priority claims. Applicants respectfully request that the Office recognize the priority claim as presented herein and update all relevant records of the Office to reflect the same.

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Claim rejections

Claims 1, 2, 4, 5, 10, 14-17, 27 and 29 are pending. Claims 1, 2, 4, 5, 10, 14-17, 27 and 29 stand provisionally rejected under 35 USC 101 for alleged statutory and/or obviousness-type double patenting over the claims of co-pending (and co-owned) application USSN 10/095,897.

Applicants respectfully submit that this rejection cannot be sustained. USSN 10/095,897 is now abandoned (without prejudice to the subject matter claimed therein), thereby obviating the rejection of the instant claims. Accordingly, withdrawal of the provisional double-patenting rejections is proper and the same is requested.

Conclusion

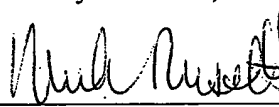
Applicants believe that additional fees are not required in connection with this submission. However, if a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge/credit Deposit Account No. 04-1105.

Should the Examiner wish to discuss any of the amendments and/or remarks made herein, the undersigned would appreciate the opportunity to do so.

Respectfully submitted,

Date: February 7, 2006

By:

  
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